



BANNER & WITCOFF, LTD.
INTELLECTUAL PROPERTY LAW

RECEIVED
CENTRAL FAX CENTER
SEP 15 2004

601 SW SECOND AVENUE, #1900
PORTLAND, OREGON 97204

TEL: 503.425.6800
FAX: 503.425.6801
www.bannerwitcoff.com

FACSIMILE TRANSMITTAL SHEET

To:	FROM:
Information Disclosure Statement	Byron S. Kuzara
COMPANY:	DATE:
U.S.P.T.O.	September 15, 2004
FAX NUMBER:	TOTAL NO. OF PAGES:
703-872-9306	13
RE:	OUR REFERENCE No.:
U.S. Serial No. 10/821,636	005127.00226

If you do not receive all page(s) or have any problems receiving this transmission, please call:

NAME: Lesa Wolman **PHONE:** 503-425-6800

COMMENTS:

IMPORTANT/CONFIDENTIAL: This message is intended only for the use of the individual or entity to whom it is addressed. This message contains information from the law firm of BANNER & WITCOFF, LTD. which may be privileged, confidential or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, retention, archiving, or copying of the communication is strictly prohibited. If you have received this communication in error, please notify us immediately at our telephone number listed above. We will be happy to arrange for the return of this message to our offices at no cost to you.

CHICAGO

WASHINGTON, D.C.

BOSTON

PORLAND,
OR

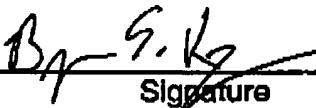
PTO/SS/97 (05-03)

Approved for use through 04/30/2003. OMB 0651-0091
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCEUnder the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.**Certificate of Transmission under 37 CFR 1.8**

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office

on 9/15/04.

Date



Signature

Byron S. Kuzara, #51,255

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Information Disclosure Statement (1 page)

PTO Form 1449 (1 page)

European Patent Office reference (7 pages)

Patent Abstract of Japanese reference (2 pages)

Serial No. 10/821,636

Attorney Docket No. 005127.00226

This collection of information is required by 37 CFR 1.9. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
 Scott E. WILLIAMS, et al.) Group Art Unit: 3765
 Serial No. 10/821,636) Examiner: TBD
 Filed: April 9, 2004) Docker No. 005127.00226
 For: ARTICLE OF APPAREL FOR)
 TEMPERATURE MODERATION)

RECEIVED
CENTRAL FAX CENTER

SEP 15 2004

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Alexandria, VA 22313

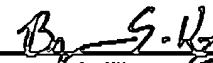
Sir:

Pursuant to the duty of disclosure set forth in 37 C.F.R. §1.56(a), applicants submit the documents cited on the attached PTO-1449 form and respectfully request that the Examiner consider these documents.

This Information Disclosure Statement is being filed prior to the mailing date of a first Office Action on the merits under 37 C.F.R. §1.97(b)(3) and, therefore, neither a certification under 37 C.F.R. §1.97(e) nor a fee under 37 C.F.R. §1.17(p) is required. Should a fee be deemed necessary for consideration of this Information Disclosure Statement, however, such fee is hereby requested and the Commissioner is authorized to debit deposit account number 19-0733 for payment.

Applicants respectfully request that the documents cited on the attached PTO-1449 form be made officially of record, and that a listing of the documents appear on the face of any patent that may issue from this application.

Respectfully submitted,

By: 
Byron S. Kuzar
Registration Number 51,255

Banner & Witcoff, Ltd.
1001 G Street, N.W.
Washington, D.C. 20001-4597
Telephone: 503-425-6800
Dated: September 15, 2004

RECEIVED
CENTRAL FAX CENTER

SEP 15 2004

PTO/SB/08a (08-03)

Approved for use through 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO				Complete if Known	
				Application Number	10/821,636
				Filing Date	4/9/04
				First Named Inventor	Scott E. Williams, et al.
				Art Unit	3765
				Examiner Name	TBD
Sheet	1	of	1	Attorney Docket Number	005127.00226

U.S. PATENT DOCUMENTS					
Examiner Initials *	Cite No. ¹	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ³ (if known)	MM-DD-YYYY		
		US- D 455,537	04-16-2002	Fyre	
		US- 2,403,676	07-09-1948	Modlinak	
		US- 3,950,789	04-20-1976	Konz, et al.	
		US- 4,989,267	02-05-1991	Watson	
		US- 5,148,625	09-15-1992	Steele, et al.	
		US- 5,305,471	04-26-1994	Steele, et al.	
		US- 5,484,448	01-16-1996	Steele, et al.	
		US- 5,524,293	06-11-1996	Kung	
		US- 5,608,748	03-04-1997	Shelton, et al.	
		US- 5,692,238	12-02-1997	Watson, Jr.	
		US- 5,755,110	05-26-1998	Silves	
		US- 6,185,742	02-13-2001	Doherty	
		US- 6,185,744	02-13-2001	Poholski	
		US- 6,189,149	02-20-2001	Allen	

FOREIGN PATENT DOCUMENTS					
Examiner Initials *	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)			
		EP 0 490 347			
		JP Pub. No. 11-217707	08-10-1999	Taihei Sansho	

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			
		Date Considered			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.68. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.